

responsible if they release it in a way that is not appropriate.

SENATOR BARRETT: The act is (interruption)

SENATOR LABEDZ: Your time is up, Senator Chambers.

SENATOR CHAMBERS: Okay.

SENATOR LABEDZ: Senator Barrett, on the amendment to the committee...

SENATOR BARRETT: Thank you, Madam Chair. I guess I have indicated my displeasure with the amendment as offered by Senator Ashford. I do think that this would have no beneficial effect on LB 78. The concern that Senator Ashford expresses is one which has been discussed by all members involved in the writing of the committee amendment including the Nebraska Trial Attorneys Association. This has been agreed upon by that particular group. Again, a reminder that the information or those persons involved, and I think this speaks to perhaps Senator Higgins' concern, those concerned are only immune for releasing or receiving information under the act. That's it. If there is anything else, then you're subject to the penalty under Section 9 as I understand it. Again, insurance companies may give information, they are not required. So inasmuch as there has been a common agreement among those parties who did work on the Standing Committee amendments, I would urge the body to reject the amendment which has been offered by Senator Ashford. Thank you.

SENATOR LABEDZ: Senator Withem, on the amendment to the committee amendments.

SENATOR WITHEM: Madam President, members of the body, I support the Ashford amendment. I think what Senator Ashford is doing is removing a potentially negative portion of the bill and I guess I haven't heard from Senator Barrett or anybody else as to why this is so vital to have within this piece of legislation. I guess we're becoming much more sensitive to this whole question of liability and exempting people from liability or making people be liable for their actions and in a general philosophical sense I tend to be among those who think we need to make some changes in our overall tort system to make people somewhat...make the system somewhat less burdensome. But I think we've got to be real careful anytime one of these comes up as exactly...to exactly what we're doing. Senator Barrett, I'd